

AMENDED IN ASSEMBLY JUNE 12, 2008

AMENDED IN ASSEMBLY JUNE 5, 2008

AMENDED IN ASSEMBLY JULY 17, 2007

AMENDED IN ASSEMBLY JULY 2, 2007

AMENDED IN SENATE JUNE 4, 2007

AMENDED IN SENATE MAY 22, 2007

AMENDED IN SENATE MAY 15, 2007

AMENDED IN SENATE MAY 2, 2007

SENATE BILL

No. 658

Introduced by Senator Romero

February 22, 2007

An act to add Sections 42270 and 42271 to, and to repeal Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of Division 3 of Title 2 of, the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 658, as amended, Romero. School facilities.

Existing law establishes the Year-Round School Grant Program to provide financial assistance to school districts operating year-round educational programs. The State Department of Education, in consultation with school districts, the Department of Finance, the Legislative Analyst's Office, and other affected parties, is required to conduct a study of the grant program to develop an equitable method of phasing out the program over a multiyear period.

Existing law establishes the Charter School Facility Grant Program to provide assistance with facility rent and lease costs for pupils in charter schools and states the intent of the Legislature that not less than \$18,000,000 *annually* be appropriated ~~annually~~ for purposes of the program.

This bill would phase out the Year-Round School Grant Program over a 4-year period by reducing grant amounts by 20% each fiscal year commencing with the 2008–09 fiscal year, would prohibit the Superintendent of Public Instruction from approving new year-round school grants, and would ~~state the intent of the Legislature that require~~ the funds for the Charter School Facility Grant Program be augmented in the annual Budget Act in an amount equal to the reduction in funding for the Year-Round School Grant Program. If the Budget Act of 2008 is enacted before this bill and does not reflect the augmentation, *or if the Budget Act for any of the 2009–10 to 2012–13 fiscal years, inclusive, does not reflect the augmentation*, the Director of Finance would be required to transfer ~~20% of the~~ *a specified* amount appropriated in the Budget Act ~~of 2008~~ for the Year-Round School Grant Program to the Charter School Facility Grant Program to accomplish the reallocation of funding.

The bill would make the Year-Round School Grant Program inoperative on July 1, 2013, and would repeal it on January 1, 2014.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42270 is added to the Education Code,
- 2 to read:
- 3 42270. A school district that received a grant pursuant to this
- 4 article for the 2007–08 fiscal year shall:
- 5 (a) Be exempt from the increase in school building capacity
- 6 required pursuant to Section 17071.35.
- 7 (b) Have its year-round school grant phased out over a four-year
- 8 period. The school district shall receive amounts according to the
- 9 following schedule:
- 10 (1) For the 2008–09 fiscal year, 80 percent of the amount
- 11 received in the 2007–08 fiscal year.
- 12 (2) For the 2009–10 fiscal year, 60 percent of the amount
- 13 received in the 2007–08 fiscal year.

(3) For the 2010–11 fiscal year, 40 percent of the amount received in the 2007–08 fiscal year.

(4) For the 2011–12 fiscal year, 20 percent of the amount received in the 2007–08 fiscal year.

(5) For the 2012–13 fiscal year and each fiscal year thereafter, zero percent of the amount received in the 2007–08 fiscal year.

(c) Notwithstanding any other law, commencing with the 2008–09 fiscal year, the Superintendent shall not approve new year-round school grants.

SEC. 2. Section 42271 is added to the Education Code, to read:

42271. This article shall become inoperative on July 1, 2013, and, as of January 1, 2014, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2014, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. (a) ~~It is the intent of the Legislature that the~~ *The Budget Act for the 2008–09 fiscal year and the Budget Acts for each fiscal year thereafter shall reflect an augmentation of funds for the Charter School Facility Grant Program, as set forth in Section 47614.5 of the Education Code, that is equal to the base program, which is the amount expended in the program for claims from the 2007–08 school year, plus an amount equal to the reduction in funding for the Year-Round School Grant Program (Article 3 (commencing with Section 42260) of Chapter 7 of Part 24 of Division 3 of Title 2 of the Education Code) associated with the reduction in the grants for year-round schools that is set forth in Section 42270 of the Education Code.*

(b) If this act is enacted after the Budget Act of 2008 is enacted and if the Budget Act of 2008 does not reflect the reallocation of funds as specified in subdivision (a), the Director of Finance, upon notice to the Joint Legislative Budget Committee, shall transfer 20 percent of the amount appropriated in Item 6110-224-0001 to Item 6110-220-0001 of Section 2.0 of the Budget Act of 2008 to accomplish the reallocation of funding specified in subdivision (a).

(c) *If the Budget Act for any of the 2009–10 to 2012–13 fiscal years, inclusive, does not reflect the allocation of funds specified in subdivision (a), the Director of Finance, upon notice to the Joint Legislative Budget Committee, shall transfer an amount appropriated in Item 6110-224-0001 of Section 2.00 of the Budget*

1 Act for any of those fiscal years, as applicable, to Item
2 6110-220-0001 of Section 2.00 of the Budget Act for that fiscal
3 year in order to accomplish the reallocation of funding specified
4 in subdivision (a). The total amount of the reallocation in each
5 fiscal year pursuant to this subdivision shall be no less than the
6 applicable amount specified in the following schedule:

7 (1) For the 2009–10 fiscal year, 40 percent of the amount
8 expended from Item 6110-224-0001 of Section 2.00 of the Budget
9 Act of 2007.

10 (2) For the 2010–11 fiscal year, 60 percent of the amount
11 expended from Item 6110-224-0001 of Section 2.00 of the Budget
12 Act of 2007.

13 (3) For the 2011–12 fiscal year, 80 percent of the amount
14 expended from Item 6110-224-0001 of Section 2.00 of the Budget
15 Act of 2007.

16 (4) For the 2012–13 fiscal year, 100 percent of the amount
17 expended from Item 6110-224-0001 of Section 2.00 of the Budget
18 Act of 2007.

19 (d) It is the intent of the Legislature that the funding level for
20 the Charter Schools Facility Grant Program for the 2012–13 fiscal
21 year be considered the base level of funding for subsequent fiscal
22 years.